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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RAYMOND PADILLA,)	CASE NO. 2:09-CV-1636-RLH-(PAL)
)	
Plaintiff,)	
)	
vs.)	
)	
STATE OF NEVADA, <i>et al.</i> ,)	
)	
Defendants.)	
)	

DEFENDANTS' MOTION FOR EXTENSION OF TIME
TO RESPOND TO SECOND AMENDED COMPLAINT
(First Request)

COME NOW, Defendants (those for which service of process has been accepted in the above-entitled action), by and through their counsel, CATHERINE CORTEZ MASTO, Attorney General, and ROGER R. MADSEN, Deputy Attorney General, of the STATE OF NEVADA, OFFICE OF THE ATTORNEY GENERAL, and hereby move this Court for an extension of time (first request) to answer or otherwise respond to Plaintiff, RAYMOND PADILLA's, second amended complaint (Doc. 11). Said Defendants request an additional thirty (30) days to do so, which would make the new due date **October 17, 2011**. This Motion is made and based upon the pleadings and papers on file, the

Memorandum of Points and Authorities herein, and the oral argument and evidence presented at any hearing on this matter.

DATED this 2nd day of September, 2011.

Respectfully submitted,

CATHERINE CORTEZ MASTO
Attorney General

By: /s/ Roger R. Madsen
ROGER R. MADSEN
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MEMORANDUM OF POINTS AND AUTHORITIES

Fed. R. Civ. P. 6(b) provides in pertinent part:

(1) *In General*. When an act may or must be done within a specified time, the court may, for good cause, extend the time:

(A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; . . .

LR 6-1 provides in pertinent part:

(a) Every motion requesting a continuance, extension of time, or order shortening time shall be "Filed" by the clerk and processed as an expedited matter. . . .

(b) Every motion or stipulation to extend time shall inform the court of any previous extensions granted and state the reasons for the extension requested. . . . Immediately below the title of such motion or stipulation there shall be included a statement indicating whether it is the first, second, third, etc., requested extension,

Defendants' (those for which service of process has been accepted in the above-entitled action) answers or other responses to Plaintiff, RAYMOND PADILLA's, second amended complaint (Doc. 11) are currently due on September 14, 2011 and September 15, 2011 (calculated pursuant to this Court's

1 screening order – Doc. 13).¹ Said Defendants request an additional thirty (30) days from the latter due
 2 date of September 15, 2011 to do so, which would make **October 17, 2011** the new due date for all
 3 responding Defendants. Good cause exists for the requested extension of time as said Defendants need
 4 additional time to review the case, conduct legal research, gather evidence, and prepare a dispositive
 5 motion in response to Plaintiff's second amended complaint due to the undersigned counsel's recent
 6 assignment to handle the above-entitled action. *See* Docs. 19 and 20. Based upon the foregoing, said
 7 Defendants ask this Court to grant this Motion in its entirety.

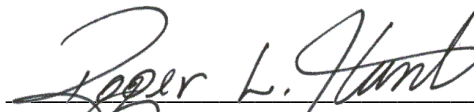
8 DATED this 2nd day of September, 2011.

9 Respectfully submitted,

10 CATHERINE CORTEZ MASTO
 11 Attorney General

12 By: /s/ Roger R. Madsen
 13 ROGER R. MADSEN
 14 Deputy Attorney General
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 22 E-mail: rmadsen@ag.nv.gov
 23 *Attorneys for Defendants*

24 **IT IS SO ORDERED.**

25 
 26 **UNITED STATES DISTRICT JUDGE**

27 **DATED: September 6, 2011**

28 ¹ The Nevada Attorney General accepted service of process for some Defendants on August 15, 2011 (Doc. 15) and other Defendants on August 16, 2011 (Doc. 16).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of September, 2011, the foregoing, **Defendants' Motion for Extension of Time to Respond to Second Amended Complaint (First Request)**, was served by placing a true and correct copy of the same in a sealed envelope, First-Class Mail postage fully prepaid, in the U.S. Mail, at Las Vegas, Nevada, and addressed to the following:

Raymond Padilla (#35678)
Ely State Prison
P.O. Box 1989
Ely, NV 89301
Plaintiff, Pro Se

/s/ Theresa T. Fuller
THERESA T. FULLER
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